

1900-022  
Lee Co.

Chancery Causes: J. O. Gibson & Co vs. T. J. Ely

Gibson

CA-Debt  
T-Property



To The Honorable H.A.W.Skeen, Judge of the Circuit

Court of Lee County, Virginia:

Humbly complaining, your orators, J.O.Gibson, J.P.Gibson and C. B.Gibson, merchants and partners in trade under the firm name and style J.O.Gibson & Co. of Lee County Virginia, suing as well for themselves as all other creditors of T.J.Ely, of said County, who will come, and contribute to the expenses of this suit, will respectfully show unto your Honor:

That heretofore, towit: on the 30th day of August 1897 a judgment was rendered in favor of your orators as assignees of A.F.Davis, against T.J.Ely by a Justice of the Peace of said Lee County, for the sum of (\$19.30) nineteen dollars and thirty cents with legal interest thereon from the 26th day of February, 1895 until paid, and \$1.00 costs; and that heretofore to-wit, on the 30th day of August 1897 another and further judgment was rendered in favor of your said orators by said Justice of the Peace against said Ely for the sum of (\$89.88) eighty-nine dollars and eighty-eight cents, with legal interest thereon from the 23rd day of March, 1896 until paid, and \$1.00 costs, all of which will more fully appear from an inspection of certified copies of said two judgments filed herewith as part hereof marked respectively "No. 1" and "No. 2".

Your orators will now further show your Honor that heretofore, to-wit, on the 6th day of September, 1897, said two judgments aforesaid were duly docketed in the judgment lien docket of the County Court Clerk's office of said County, as will more fully appear from an inspection of a certified transcripts from said Judgment lien Docket, filed herewith as a part hereof, marked respectively "No. 3" and "No. 4"; that your orators were put to the additional costs of \$3.10 for the Clerk's services <sup>+ Constable's services in serving the papers on</sup> in recording and docketing said two judgments as will appear from an inspection of the transcripts last aforesaid; and that an execution issued on each of said judgments, and that both of said judgment executions were returned by proper officer "No property found"; and that said judgments and costs are wholly unpaid.



Yours orators will now further show unto your Honor that said Ely is the owner of valuable lands in said Lee County that are subject as well to the liens of the aforesaid judgments as to numerous valid and existing liens in favor of various other creditors: that said lands will not in five years renting pay said liens and the costs of this suit, and your orators are advised that their only remedy is by creditors bill in your Honor's Court.

Therefore, your orators respectfully pray that T.J.Ely be made a party defendant to this bill, and be required to answer the same, but not on oath that being expressly waived; that a commissioner be appointed to ascertain the lands owned by the said Ely, the liens existing against the same, the amount and the priorities thereof and render an account of his proceedings to your Honor's Court; that said lands may be sold to satisfy the aforesaid liens and costs of this suit and that such other and further relief may be granted unto your orators as is adapted to the nature of the case and agreeable to equity and good conscience. And may a summons issue &c. And your orators will ever pray &c.

Thos H. Gibson P.Q.



*J. O. Gibson & Co.*  
vs } *Bill in Equity*

*T. J. Ely.*

1900 1st January Spa 2 entered  
bill filed & Decree Nisi  
" 2nd January Rules D. N.  
Cause set for  
hearing.

*Call to Court*  
Clerk 2.75 Paid  
Tax 1.50 "  
Shff 10.00  
atly 80.  
G.C. 15.55 -



25.  
86.  
48

7 12

g

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114



Virginia---Lee County, To-Wit:

To W.G.Burgan, Constable of said County.

I hereby command you to summon T.J.Ely If to be found in your District to appear at Jonesville in said county, on the 30th day of Aug.1897 before me or such other Justice of said County, as may be there to try this warrant, to answer complaint of J.O.Gibson & Co. Assignee of A.F.Davis and upon a claim for money not exceeding \$100.00 exclusive of interest, to wit: For the sum of \$19.30 due by Note and then and there return this warrant.

Given under my hand this the 24th day of Aug.1897.

H.C.Joslyn, J.P.

J.O.Gibson & Co. Assignee &c.

against.

T.J.Ely.

On the 30 day of Aug.1897

(in Debt.)

At Jonesville in said County.

JUDGMENT, That the Plaintiff recover of the Defendant \$19.30 with interest thereon from the 26th day of Feby 1895, until paid, and \$1.00 for costs.

H.C.Joslyn, J.P.

VIRGINIA--Lee County, To-wit: To W.G.Burgan, Constable of said County

I command you in the name of the Commonwealth of Virginia that of the goods and chattels of Thomas J.Ely, in your county, you cause to be made the sum of \$19.30 with interest thereon from the 26th day of Feby.1895, till paid, which J.O.Gibson & Co.Assignee's has recovered before me in a warrant in debt, and also the sum of \$1.00 which were adjudged to the said J.O.Gibson & Co.Assi gnees for costs in prosecuting said warrant.

Given under my hand the 30th day of Aug.1897.

H.C.Joslyn, J.P.



(Endorsements on Back.)

J.O.Gibson & Co. Assignee

vs. ( Warrant.

T.J.Fly

-----  
Executed in full by summoning T.J.Fly Aug 25 1897.

W.G.Burgan, C.L.C.

))) -----

No property found this Sept. 6th 1897 my costs 50c paid by J.O.Gibson  
& Co.

W.G.Burgan, C.L.C.

-----  
Filed & Docketed Sept. 6th 1897.

S.V.F. Richmond, Clk.

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*A copy, Leste: B. M. Morgan Clerk.*



J. O. Gibson Rec.  
vs } Copy of War-  
rant &c.

L. J. Ely

"No 1"

Clerk Go<sup>c</sup>



Virginia- -Lee County, To-Wit:

To W.G.Burgan, Constable of said County.

I hereby command you to summon Thomas J.Ely If to be found in your District to appear at Jon-ville in said County, on the 30th day of Aug.1897, before me or such other Justice of said County, as may be there to try this warrant, to answer complaint of James O. Gibson & Co. and upon claim for money not exceeding \$100, exclusive of interest, to wit: For the sum of \$89.88 due by Note, and then and there return this warrant.

Given under my hand the 24th day of Aug.1897.

H.C.Joslyn, J.P.

James O.Gibson & Co. }

Against

Thomas J.Ely

On the 30th day of Aug.1897.

(In Debt)

At Jonesville in said County.

JUDGMENT, That the Plaintiff recover of the Defendant \$89.88 with interest thereon from the 23rd day of March 1896, until paid, and \$1.00 for costs.

H.C.Joslyn, J.P.

Virginia--Lee County, To-wit: To W.G.Burgan Constable of said County.

I command you in the name of the Commonwealth of Virginia, that of the goods and chattels of Thomas J.Ely, in your county, you cause to be made the sum of \$89.88 with interest thereon from the 23rd day of March 1896, till paid, which J.O.Gibson & Co. has recovered before me in a warrant in debt, and also the sum of \$1.00 which were adjudged to the said J.O.Gibson & Co. for costs in prosecuting said warrant.

Given under my hand the 30th day of August 1897.

H.C.Joslyn, J.P.



(Endorsements on Bac .)

J.O.Gibson & Co.

vs ( Warrant

Thomas J.Ely

---

Executed in full by summoning T.J.Ely this Aug 25 97.

W.G.Burgan C.L.C.

---

No property found Sept.6th 1897 My costs 50c paid by J.O.Gibson & Co.

W.G.Burgan C.L.C.

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Filed &C/ Sept.6" 1897

S.V.F.Richmond Clk.

A copy, Teste: B.M.Morgan, Clerk.



J. O. Gibson & Co  
3 copy of War-  
3 rant &c.

J. J. Ely.

"No 2"

C. 20<sup>cts</sup>



## Judgment Lien Docket

Date of Judgment	By What Court Rendered	Time of Docketing	Names and Description of Parties	Debt, Damages, Interest and Costs.	Amount and date of Credits.
1897 Aug 30"	Justice of Peace	1897 Sept 6 <sup>th</sup>	J.O. Gibson & Co., As- signee vs Plff. vs { In Debt. Thomas J. Ely - deft.	Judgment for \$19.30 with legal interest thereon from the 26 <sup>th</sup> day of February 1895-until paid and the costs f. P. 50 const 50 clerk 53 - constable paid by plff.	

A copy,

Teste: B. M. Morgan clerk.



J. O. Gibson Rec.  
vs } transcript  
      } from J. L. O.

L. J. Ely Rec.

"No. 3."

Clerk 20c



## Judgment Lien DoCKET.

Date of Judgment	By what Court Rendered	Time of Docketing	Names and Description of Parties.	Debt, Damages, Interest and Costs.	Amount and Date of Credits.
1897 Aug 30 <sup>th</sup>	H.C. Joslyn J.P.	1897 Sept 6 <sup>th</sup>	J.O. Gibson & Co. Plffs. vs. $\frac{3}{2}$ In Debt Thomas J. Ely. Deft.	Judgment for \$89.88 with legal interest thereon from the 23 <sup>rd</sup> day of March 1896 un- til paid + the costs J.P. 30 (cost 30 pd by Plff) clrk 35-	

A copy,

Teste: B. M. Morgan clerk.



J. O. Gibson & Co.  
vs.  $\frac{3}{4}$  Transcript  
from J. L. D.

J. J. Ely.

"No 4"

Clerk 20c



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*T. J. Ely*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held  
for the said court, on the 1<sup>st</sup> Monday in January <sup>1900</sup> ~~189~~, to answer a

bill in chancery exhibited against him in our said court by J. O. Gibson

J. R. Gibson & L. B. Gibson merchants & partners  
in trade under the firm name & style of J. O.  
Gibson & Co

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the  
court-house, the 23<sup>rd</sup> day of December 1899, and in the 12 4<sup>th</sup> year of the  
Commonwealth.

A. B. Munsey Clerk



J. O. Gibson & Co  
vs. {  
SUBPOENA  
IN CHANCERY

T. J. Ely

L. H. Gibson p. q.

To 16th January Rules.

1850. Circuit Court.

Executed December 27  
1844 by Delivering  
a tested office copy to  
T. J. Ely  
W. J. Whitam, S. L. C.